

RECEIVED

ORDINANCE NO. 0-12-01

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL APPROXIMATELY 2.1148 ACRES LOCATED AT 8534 U. S. 42 AND OLD TOLL ROAD, ADJACENT TO THE CITY LIMITS. (TOLL ROAD PROPERTIES, LLC)

SEP 4 2001

WHEREAS, Toll Road Properties, LLC, a Kentucky Limited Liability Company, being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a) Is contiguous to the boundaries of the City, and
- (b) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c) Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owner of record of the territory has filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A.420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

SECTION V

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING THIS 14th DAY OF August, 2001.
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 28th DAY OF August, 2001.

APPROVED:

Deane E. Whalen
MAYOR

ATTEST:

Betsy R. Conrad
CITY CLERK

I, Betsy R. Conrad, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 0-12-01

as same appears in the official records of my office.

Dated this 30th day of August, 2001,

Betsy R. Conrad
Betsy R. Conrad, City Clerk

EXHIBIT "A"

GROUP NUMBER: 115
PLAT NUMBER: 1/74

ADDRESS: 8534 OLD TOLL ROAD

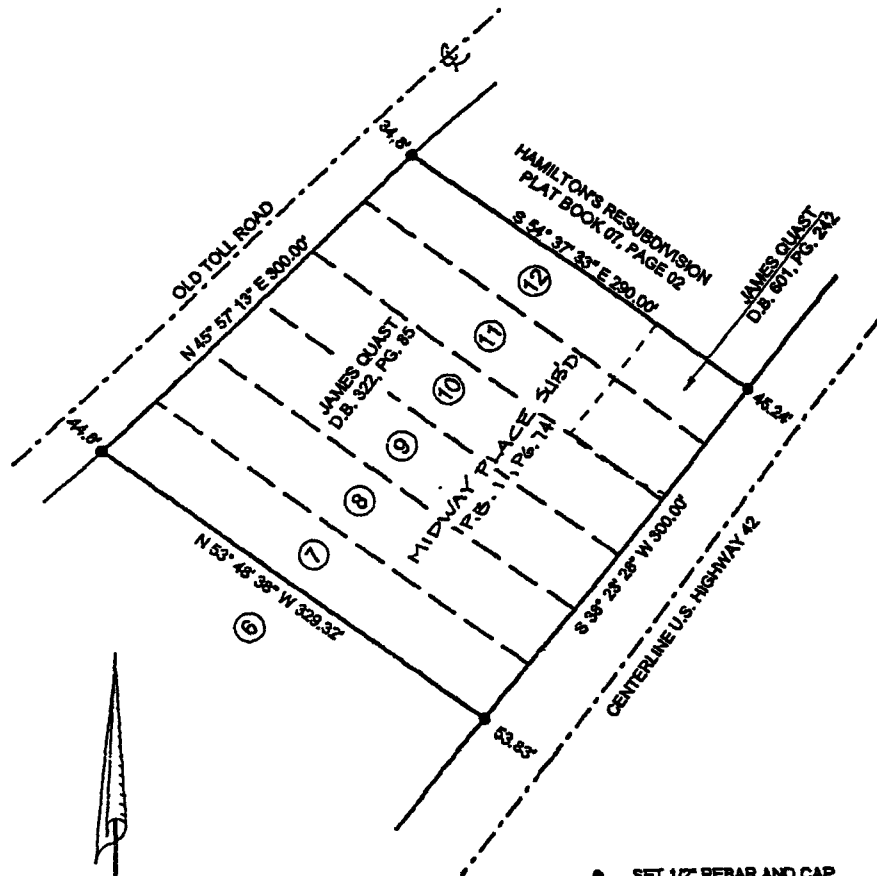
Being Lots No. 7, 8, 9, 10, 11 and 12 in the Midway Place Subdivision on the Covington and Louisville Highway, (U.S. Highway 42), Boone County, Kentucky, the dimensions of said lots being shown in detail on the plat of said subdivision recorded in Plat Book 1, Page 74 of the Boone County Clerk's records at Burlington, Kentucky.

Being the same property conveyed to the Grantors herein by reason of a Deed from Virgil Berry and Rachel V. Berry, his wife, dated October 1, 1984 and recorded in Deed Book 322, Page 85 and by reason of a Deed from Kevin P. Hagedorn and Holly A. Hagedorn, Husband and wife, dated February 21, 1996 and recorded in Deed Book 601, Page 242, all references to the Boone County Clerk at Burlington, Kentucky.

DOCUMENT NO: 67822
RECORDED ON: MAY 22, 2001 10:13:51AM
TOTAL FEES: \$16.00
GROUP : 115
COUNTY CLERK: MARILYN K ROUSE
COUNTY: BOONE
DEPUTY CLERK: KARLA HORNBECK

BOOK D803 PAGES 633 - 637

BOONE COUNTY
D803 PG 637

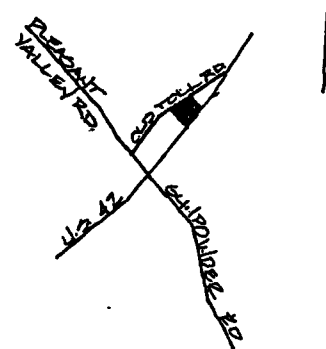


SURVEYOR'S CERTIFICATE

I CERTIFY THAT THIS PLAT DEPICTS
A SURVEY MADE BY ME BY THE METHOD
OF RANDOM TRAVERSE. THE BEARINGS
AND DISTANCES SHOWN HEREON HAVE
BEEN ADJUSTED FOR CLOSURE. THIS
PLAT AND SURVEY MEETS OR EXCEEDS
THE MINIMUM STANDARDS OF GOVERNING
AUTHORITIES.

Timothy R. McNeely 3-26-96
P.L.S. 2030 DATE

VICINITY MAP
SCALE: 1" = 2000'



TOTAL AREA: 2.1148 ACRES

SURVEY PLAT OF THE JAMES M. QUAST, ET AL PROPERTY

BOONE COUNTY

KENTUCKY

NORTHWEST SIDE OF U.S. HIGHWAY 42
SOUTHEAST SIDE OF OLD TOLL ROAD

MARCH 20, 1998
REF: D.B. 322, PG. 85
D.B. 601, PG. 242

SCALE: 1" = 100'

TIMOTHY R. McNEELY, REGISTERED LAND SURVEYOR
6256 MAIN STREET, BURLINGTON, KENTUCKY 41005
(606) 586-8497